

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL A. BURNHART, ) CASE NO. C06-0816-RSL-MAT  
)  
Plaintiff, )  
)  
v. ) ORDER STRIKING PLAINTIFF'S  
) MOTION TO COMPEL  
COMMANDER REED HOLTGEERTS, )  
)  
Defendant. )  
\_\_\_\_\_ )

Plaintiff is a Washington State prisoner who is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. §1983. On February 28, 2007, plaintiff filed a "Motion for Discovery." (Dkt. #38). Having reviewed the motion and the balance of the record, the court does hereby find and ORDER as follows:

(1) In his motion for discovery, plaintiff asks defendant to provide, among other things, information regarding the recording of inmates' telephone calls. Plaintiff does not request the court's assistance in obtaining this information. Therefore, it seems as if plaintiff filed the motion with the court because he thought that he was required to do so. Plaintiff is advised that he need not file with the court copies of discovery requests that he serves on defendants. Because it was

01 inadvertently filed with the court, the Clerk shall STRIKE plaintiff's motion for discovery. (Dkt.  
02 #38).

03 (2) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for  
04 defendants, and to Chief United States District Judge Robert S. Lasnik.

05 DATED this 12th day of March, 2007.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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